

Hearing Date: October 10, 2007
Hearing Date: 10:00 a.m. (prevailing Eastern time)

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-and-

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X		
In re:	:	CHAPTER 11
	:	
DELPHI CORPORATION, <u>et al.</u> ,	:	CASE NO. 05-44481(RDD)
	:	
Debtors.	:	(Jointly administered)
-----X		

**AFFIDAVIT OF LISA PATE IN SUPPORT OF MOTION FOR LEAVE
TO FILE LATE CLAIM WITH RESPECT TO ALLEGED LATE CLAIM
FILED BY U.S. XPRESS, INC.**

STATE OF TENNESSEE:
COUNTY OF HAMILTON:

Lisa Pate, being first duly sworn states:

1. I am Vice President and General Counsel for U.S. Xpress, Inc.

2. I have personal knowledge of the matters stated herein, am over eighteen (18), and competent to make this Affidavit.

3. At U.S. Xpress, we have established procedures for handling and distributing mail and docketing deadlines and hearing dates and times set by such mailings that are designed, to the extent possible, to eliminate the risk of human error in the dissemination of mail and compliance with deadline with hearing dates and times.

4. Anything potentially relating to bankruptcy claims and litigation of those claims is forwarded to the U.S. Xpress Litigation Department, which I head.

5. I did not ever receive an order in this case establishing a bar date.

6. U.S. Xpress has a registered agent for service of process in Tennessee and other states. I am the registered agent for service in Tennessee. *and*

7. U.S. Xpress has no record that it ever received notice of a Claims Bar Date in connection with this date.

Further, Affiant saith not.

[Signature]
(signature)

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

Sworn to and subscribed before me
this 8th day of October, 2007.

Kristen L. Johnson
Notary Public

My Commission Expires: 9/18/2008

